

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 24, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-25988 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PECOS PARTNERS, LLC - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 58.5 FEET WHERE 66 FEET IS REQUIRED FOR A PROPOSED 7,250 SQUARE-FOOT GENERAL RETAIL DEVELOPMENT on 2.57 acres on the south side of Owens Avenue, approximately 245 feet west of Pecos Road (APN 139-25-516-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C.: 02/20/08

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after final agenda – Protest Postcard for Items 52 and 53

Motion made by DAVID STEINMAN to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES, GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIRMAN GOYNES declared the Public Hearing open for Items 52 and 53.

ANDY REED, Planning and Development Department, noted that the applicant is providing the required number of trees and that the width of the landscape planters complies with Code. He stated the residential adjacency variance indicates the project is too intense for site and he recommended denial of all applications.

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SUE GRAY, Perlman Design Group, 2230 Corporate Circle Drive, appeared on behalf of the applicant and briefly described the project. She stated the project meets the City's parking and landscaping requirements and noted the parcel's cross-access agreements with the adjacent parcels. Regarding the residential setback Variance request, MS. GRAY pointed out the neighboring projects had received approval on similar requests and that this project was providing 58.5 feet of buffer where 66 feet is required.

TODD FARLOW, 240 North 19th Street, observed that the neighboring pharmacy had recently changed ownership.

COMMISSIONER TROWBRIDGE stated that an insufficient number of spaces are provided in the stacking lane which could result in cars blocking the parking spaces. He also expressed concern with the location of the outside speaker and the trash container.

MS. GRAY informed COMMISSIONER TROWBRIDGE that the smaller stacking lane would be adequate for the retail café shop, explaining that the Code did not differentiate between stacking lanes for smaller retail cafe shops and larger fast food restaurants. With regards to the outside speaker, MS. GREY stated new technology allowed the volume to be lower and the noise would not negatively impact the neighbors. She also pointed out the landscaping which would buffer the neighbors and noted the trash enclosure and loading space meet all City requirements.

MS. GRAY pointed out the location of the parking spaces for persons with disabilities for CHAIRMAN GOYNES and assured him that it would meet the State's parking requirements.

COMMISSIONER QUINN stated the location of the ADA parking is inappropriate due to traffic, blind spots and distance to the building. MS. GRAY explained that the proposed location was the best option for this site and COMMISSIONER QUINN acknowledged that the other proposed location would be worse.

COMMISSIONER STEINMAN stated he was not concerned with possible stacking as any coffee vendor business would take place in the morning before the other businesses were open, but he did express concern with the placement of the majority parking towards the back.

COMMISSIONER EVANS expressed his support of development in this part of town, noting the issues appeared to be minor and could be easily addressed. He stated his concern with the impact trash collection from this building would have on the adjacent homes and MS. GRAY assured him that she would work with the trash company to address those concerns.

CHAIRMAN GOYNES declared the Public Hearing closed.